

**Chapter 14.60**  
**COMMUTE TRIP REDUCTION**

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**14.60.010 Definitions.** The following definitions shall apply in the interpretation and enforcement of this chapter:

A. "Affected employee" means a full-time employee who begins his or her regular work day at a single work site between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays.

B. "Affected employer" means a public or private employer that, for twelve consecutive months, employs one hundred or more affected employees at a single work site who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays. The intent is to include any employer that has one hundred or more full-time employees on site between 6:00 a.m. and 9:00 a.m. (inclusive), even if the individual employees vary over time. Construction work sites are excluded from this definition when the expected duration of the construction is less than two years.

C. "Alternative mode" means any means of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.

D. "Alternative work schedules" mean programs such as compressed work weeks that eliminate work trips for affected employees.

E. "Base year" means the period from January 1, 1992 through December 31, 1992, on which goals for vehicle miles traveled per employee and proportion of single-occupant vehicle trips are based.

F. "Carpool" means a motor vehicle occupied by two to six people traveling together for their commute trip that results in the reduction of at least one motor vehicle commute trip.

G. "Commute trips" mean trips made from a worker's home to a work site for a regularly scheduled work day beginning between 6:00 a.m. and 9:00 a.m. (inclusive) on weekdays.

H. "CTR plan" means the county's commute trip reduction plan, as adopted by Ordinance 10733, to regulate and administer the CTR programs of affected employers within its jurisdiction.

I. "CTR program" means an employer's strategies to reduce affected employees' SOV use and VMT per employee.

J. "CTR zone" means an area, such as a census tract or combination of census tracts, within unincorporated King County characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities and other factors that are determined to affect the level of SOV commuting.

K. "Commute Trip Reduction Task Force Guidelines, July 1992" means the guidelines adopted by the state Commute Trip Reduction Task Force as established by RCW 70.94.537.

L. "Compliance" means fully implementing all provisions in an approved CTR program within the deadlines established in this chapter and meeting or exceeding VMT and SOV goals of this chapter.

M. "Compressed work week" means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four ten-hour working days or eighty hours in nine working days, but may also include other arrangements. Compressed work weeks are understood to be an ongoing arrangement.

N. "Director" means the director of the department of transportation or his or her authorized designee.

O. "Employee" means anyone who receives financial or other compensation in exchange for work provided to an employer, including owners and partners of the employer.

P. "Employer" means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, nonprofit or private, that employs workers.

Q. "Exemption" means a waiver from CTR program requirements granted to an employer by the county based on unique conditions that apply to the employer or employment site.

R. "Flex-time" is an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes.

S. "Full-time employee" means a person other than an independent contractor, scheduled to be employed on a continuous basis for fifty-two weeks for an average of at least thirty-five hours per week.

T. "Good faith effort" means that an employer has met the minimum requirement identified in RCW 70.94.531 and this chapter, and is working collaboratively with the county to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed upon length of time.

U. "Implementation" means active pursuit by an employer of the CTR goals of RCW 70.94.521 through .551 and this chapter as evidenced by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting and commencement of other measures according to their CTR program and schedule.

V. "Mode" means the means of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool, vanpool), transit, ferry, bicycle and walking.

W. "Peak period" means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.

X. "Peak period trip" means any employee trip that delivers the employee to a work site to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.

Y. "Proportion of single-occupant vehicle trips" or "SOV rate" means the number of commute trips over a set period made by affected employees in single-occupant vehicles divided by the number of affected employees working during that period.

Z. "Single-occupant vehicle (SOV)" means a motor vehicle occupied by one employee for commute purposes, including a motorcycle.

AA. "Single-occupant vehicle (SOV) trips" means trips made by affected employees in single-occupant vehicles.

BB. "Single work site" means a building or group of buildings occupied by one or more major employers which are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way.

CC. "Telecommuting" means the use of telephones, computers or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.

DD. "Transit" means a multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, ferry, rail, shared-ride taxi, shuttle bus or vanpool.

EE. "Transportation demand management (TDM)" means a program designed to reduce SOV commute travel during the peak commute traffic period between 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday.

FF. "Transportation management organization (TMO)" means a group of employers or an association representing a group of employers in a defined geographic area. A TMO may represent employers within specific city limits, or may have a sphere of influence that extends beyond city limits.

GG. "Vanpool" means a vehicle occupied by seven to fifteen people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle trip. A vanpool trip counts as zero vehicle trips.

HH. "Variable work schedule" means a work schedule that includes rotating shifts in which the employee is assigned different start times during the year, noncontinuous schedules in which an employee reports to the work site only during specified periods of a continuous twelve month period or other work schedule arrangements outside of a regularly scheduled continuous work period.

II. "Vehicle miles traveled (VMT) per employee" means the sum of the distance in miles of individual vehicle commute trips made by affected employees over a set period divided by the number of affected employees during that period.

JJ. "Week" means a seven day calendar period, starting on Monday and continuing through Sunday.

KK. "Weekday" means any day of the week except Saturday or Sunday.

LL. "Writing," "written," or "in writing" means original signed and dated documents. Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery. (Ord. 13321 § 1, 1998; Ord. 10733 § 1, 1993).

**14.60.020 Commute trip reduction plan, base year values and zones.** A. The 1998 King County Commute Trip Reduction Plan, which is Attachment A\* to Ordinance 13321, is hereby adopted.

B. The goals for reducing vehicle miles traveled per employee and the SOV rate for all major employers shall not be less than a fifteen percent reduction from the worksite base year value or the base year value for the commute trip reduction zone in which their work site is located by January 1, 1995, twenty percent reduction from the base year values by January 1, 1997, twenty-five percent reduction from the base year values by January 1, 1999, and thirty-five percent reduction from the base year values by January 1, 2005. Employers which become affected employers after February 16, 1993 shall have two years to meet the first goal of fifteen percent, four years to meet the second goal of twenty percent, six years to meet the third goal of twenty-five percent and twelve years to meet the final goal of thirty-five percent reduction from the time they begin their commute trip reduction program.

\* Available in the office of the clerk of the council.

C. Commute trip reduction zones shall be the zones in Attachment B\* to Ordinance 10733, which are applicable to the unincorporated areas of the county. The base year values for affected employers shall be the base year values for SOV and VMT in Attachment C\* to Ordinance 10733, which are applicable to the unincorporated areas of the county. (Ord. 13321 § 2, 1998; Ord. 10733 § 2, 1993).

**14.60.030 Applicability.** The provisions of this chapter shall apply to any affected employer at any single work site within unincorporated King County. Employees will be counted only at their primary work site. Seasonal agricultural employees, including seasonal employees of processors of agricultural products are excluded from the count of affected employees. It is the responsibility of the employer to notify the county of a change in status as an affected employer.

A. Employers that meet the definition of an affected employer when Ordinance 10733 becomes effective and that do not submit a CTR program description within one hundred eighty (180) calendar days from approval of Ordinance 10733 are in violation.

B. An employer that meets the definition of affected employer after Ordinance 10733 becomes effective must submit a CTR program description within one hundred eighty (180) calendar days of the due date of the first quarterly submittal of Washington Employment Security Employer's Quarterly Report of Employee's Wages after having achieved affected employer status. An employer whose number of employees increases to one hundred (100) or more affected employees shall be considered an affected employer beginning with the due date of the next quarterly submittal of the Washington Employment Security Employer's Quarterly Report of Employee's Wages.

C. If an affected employer no longer employs one hundred (100) or more affected employees and expects not to employ one hundred (100) or more affected employees for the next twelve (12) months, that employer is no longer an affected employer beginning with the next quarterly submittal of the Washington Employment Security Employer's Quarterly Report of Employee's Wages. It is the responsibility of the employer to provide documentation to the county that it is no longer an affected employer. If the same employer returns to the level of one hundred (100) or more affected employees within the same twelve (12) month period, that employer will be considered an affected employer for the entire twelve (12) month period and will be subject to the same program requirements as other affected employers. If the same employer returns to the level of one hundred (100) or more affected employees more than twelve (12) months after its change in status to an "unaffected" employer, that employer shall be treated as a new affected employer beginning with the due date of the next quarterly submittal of the Washington Employment Security Employer's Quarterly Report of Employee's Wages, and will be subject to the same program requirements as other new affected employers.

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\*Available in the office of the clerk of the council

D. An affected employer that has a work site located in both unincorporated King County and an adjacent county or one or more cities may jointly, with one of those jurisdictions, petition the county in writing at least sixty (60) calendar days prior to submittal of the employer's CTR program description or annual report to request that the employer be allowed to report to, and be governed by, the applicable commute trip reduction laws and regulations of that jurisdiction. If such request is granted, it shall be in effect for as long as the county receives copies of the employer's CTR program, annual reports and any administrative decisions or actions taken by the jurisdiction or its agents in regard to the employer. (Ord. 10733 § 3, 1993).

**14.60.040 Employer program requirements.** An affected employer is required to make a good faith effort, as defined in RCW 70.94.534(2) and K.C.C. 14.60.010T, to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and SOV commute trips. The employer's CTR program description shall be prepared according to a format provided by the county.

A. The employer's CTR program is to contain the following required elements:

1. At a minimum, the employer's CTR program description must include:
  - a. a general description of the employment site location, transportation characteristics, and surrounding services, including unique conditions experienced by the employer or its employees that affect commute mode choice;
  - b. total number of employees at the work site and the number of employees affected by the CTR program;
  - c. documentation of compliance with the mandatory CTR program elements, as described in K.C.C. 14.60.040A.2;
  - d. description of the additional elements included in the CTR program, as described in K.C.C. 14.60.040A.3;
  - e. schedule of implementation, assignment of responsibilities and commitment to provide appropriate resources.

2. The employer's CTR program shall include the following mandatory elements:

a. the employer shall designate a transportation coordinator to administer the CTR program. An affected employer with multiple sites may have one transportation coordinator for all sites. The coordinator's name, location and telephone number must be displayed prominently at each affected work site. The coordinator shall oversee all elements of the employer's CTR program.

b. the employer shall provide information about alternatives to SOV commuting to employees at least once a year. This information shall consist of, at a minimum, a summary of the employer's program, including the name and telephone number of the employee transportation coordinator. Employers must also provide a summary of their program to all new employees at the time of hire. Each employer's program description and annual report must report the information to be distributed and the method of distribution.

c. the CTR program must include an annual review of affected employee commuting and of progress and good faith efforts toward meeting the SOV and VMT reduction goals as established in K.C.C. 14.60.020.

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\*Available in the office of the clerk of the council



d. the CTR program shall list all records to be maintained to document the employer's program and progress toward meeting SOV and VMT goals. Records shall be retained for a minimum of twenty-four months.

3. The employer's CTR program shall include at least one additional element needed to meet CTR goals. Such additional elements may include, but are not limited to, the following options:

a. provision of preferential parking or reduced parking charges, or both, for high occupancy vehicles;

b. instituting or increasing parking charges for single-occupant vehicles;

c. provision of commuter ride matching services to facilitate employee ridesharing for commute trips;

d. provision of subsidies for transit fares;

e. provision of vans for vanpools;

f. provision of subsidies for carpools or vanpools;

g. permitting the use of the employer's vehicles for carpooling or vanpooling;

h. permitting flexible work schedules to facilitate employees' use of transit, carpools or vanpools;

i. cooperation with transportation providers to provide additional regular or express service to the work site;

j. construction of special loading and unloading facilities for transit, carpool and vanpool users;

k. provision of bicycle parking facilities, lockers, changing areas and showers for employees who bicycle or walk to work;

l. provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;

m. establishment of a program to permit employees to work part or full time at home or at an alternative work site closer to their homes;

n. establishment of a program of alternative work schedules, such as a compressed work week, which reduce commuting; and

o. implementation of other measures designed to facilitate the use of high occupancy vehicles, such as on-site day care facilities and emergency taxi services.

B. Transportation management organizations or other business partnerships, may submit a single program description that describes common program elements among two or more affected employers. The program should also describe specific program elements at each individual employer's work site. The transportation management organization, as an agent for its members, should provide individual performance data for each company as well as combined measurements to the county. Program modifications shall be specific to an employer. Each employer shall remain responsible for meeting the requirements of this chapter. (Ord. 13321 § 3, 1998; Ord. 10733 § 4, 1993).

**14.60.050 Schedule for submittal, review and implementation.** A. Not more than one hundred eighty calendar days after March 8, 1993 or within one hundred eighty calendar days after an employer achieves status as an affected employer as provided in K.C.C. 14.60.030, an affected employer shall submit to the county for review a CTR program description as provided in K.C.C. 14.60.040. The employer shall implement a CTR program not more than one hundred eighty days after the CTR program description submittal. The employer shall implement approved program modifications within thirty calendar days of the final administrative decision on such modifications.

B. Upon review of an employer's CTR program description, the county shall establish the employer's annual reporting date. Each year on the employer's reporting date, the employer shall submit an annual CTR program report to the county. The county shall provide the format for the annual report. At least thirty calendar days prior to the date an annual report is due or program modifications are to be implemented, an employer may make written request for an extension of up to ninety calendar days to complete this action. The county shall grant all or part of the extension request or shall deny the request within ten working days of receipt. If the county fails to respond within ten working days, the extension is automatically granted for thirty calendar days.

C. The county shall complete review of the employer's program description, annual report, or exemption request within ninety calendar days of receipt. The county shall provide the employer with written notification of the decision to approve required program modifications or to disapprove the employer's CTR program, annual report or exemption request including the cause for disapproval. If the employer does not receive written notification of the acceptance or rejection of the employer's CTR program description, annual report, revised CTR program or exemption within the deadlines established in this subsection, they shall be deemed accepted. An affected employer shall implement a CTR program within one hundred eighty calendar days of submitting its initial CTR program description regardless of the status of decisions concerning its approval. Thereafter the employer shall implement required program revisions within thirty calendar days of the final administrative decision on program requirements.

D. In response to recommended modifications, the employer shall submit a revised CTR program description, including the requested modifications or equivalent measures, within thirty days of receipt. The county shall review revisions made in response to recommended modifications and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the county will send written notice to that effect to the employer within thirty days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the county within ten working days of the conference.

E. Employers may request exemptions, goal modifications or credit for TDM programs that existed prior to 1992 at least two months prior to the due date for the employer's initial CTR program description submittal. Employers may request exemptions, goal modifications, program modifications and program exemption credit as part of the annual report. Employers may request exemptions and program modifications at any time.

F. At least one year after its initial CTR program implementation, an affected employer may request a modification of the applicable CTR goals. Such requests shall be filed in writing at least sixty days prior to the date the worksite is required to submit its program description and annual report.  
(Ord. 13321 § 4, 1998; Ord. 10733 § 5, 1993).



**14.60.060 Criteria for goal attainment.** A CTR survey supplied by the state Department of Transportation to determine progress toward goal attainment shall be conducted at affected work sites in odd numbered years through 2005. The following criteria for achieving goals for VMT per employee and proportion of SOV trips shall be applied in determining requirements for employer CTR program modifications:

A. If an employer meets either or both goals, the employer has satisfied the objectives of the CTR plan and will not be required to modify the CTR program;

B. If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and K.C.C. 14.60.010T, but has not met or is not likely to meet the applicable SOV nor VMT goal, the county shall work collaboratively with the employer to make modifications to the CTR program. After agreeing on modifications, the employer shall submit a revised CTR program description to the county for approval within thirty days.

C. If an employer fails to make a good faith effort, as defined in RCW 70.94.534(2) and K.C.C. 14.60.010T, and fails to meet the applicable SOV or VMT reduction goal, the county shall work collaboratively with the employer to identify modifications to the CTR program and shall direct the employer to revise its program within thirty days to incorporate the modifications. (Ord. 13321 § 5, 1998; Ord. 10733 § 6, 1993).

**14.60.070 Credits, goal and program modifications and exemptions.**

A. Employers that have implemented TDM programs to reduce SOV commute travel by employees prior to the 1992 base year may apply for TDM program exemption credit at least two months prior to the due date for the employer's initial CTR program description submittal. Such employers shall be considered to have met their 1995 CTR goals if their VMT per employee and proportion of SOV trips are equivalent to a twelve) percent or greater reduction from the employers' base year zone values. This three percentage point credit applies only to the 1995 CTR goals. Application shall include results from a survey of employees or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in the Commute Trip Reduction Task Force Guidelines (July 1992).

B. Affected employers that have rates of VMT per employee and proportion of SOV trips that are equal to or less than goals for one or more future goal years, may apply to be exempted from CTR program requirements at least two months prior to the due date for their initial in their CTR program description submittal or as part of an annual progress report. Application shall include results from a survey of employees or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in the Commute Trip Reduction Task Force Guidelines (July 1992). Employers that apply for an exemption and whose rates of VMT per employee and proportion of SOV trips are determined by the county to be equal to or less than goals for one or more future goal years, and commit in writing to continue their current level of effort, shall be exempt from the requirements of this chapter except for the requirement to report performance in annual reports for their goal years as specified in K.C.C. 14.60.020A. If any of these reports indicate the employer does not satisfy the next applicable goal, the employer shall immediately become subject to all requirements of this chapter.

C. Adjustments to SOV and VMT rates.

1. For purposes of counting commute vehicle trips, telecommuting, alternative work schedules (excluding flex-time), bicycling and walking shall count as one and two-tenths vehicle commute trips eliminated. This also applies to VMT per employee. A transit trip counts as zero vehicle trips. A vanpool trip counts as zero vehicle trips.

2. For purposes of counting commute vehicle trips, employers that have modified their employees' work schedules out of the 6 a.m. to 9 a.m. window in response to the CTR law or for impacts associated with the Growth Management Act, chapter 36.70A RCW, may apply for credit toward calculating SOV trips and VMT per employee. Such credit shall be two-tenths of a trip reduced per employee whose work schedule has been shifted out of the 6 a.m. to 9 a.m. window. Credit will be calculated automatically beginning with program reports submitted after 1997. The following information should be submitted in support of this credit:

- a. an explanation of how the schedule change is relate to provisions of the Growth Management Act of 1990;
- b. the number of employees whose schedules were changed;
- c. the date on which the schedule change became effective; and
- d. the previous schedule for those employees for which the credit is being claimed.

D. An employer may request a modification of CTR program goals under the following conditions:

1. The employer demonstrates that it requires employees to use the vehicles they drive to work during the work day for work purposes. Under this condition, the applicable goals will not be changed, but those employees who need daily access to the vehicles they drive to work will not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals. The employer shall provide documentation indicating how many employees meet this condition and must demonstrate that no reasonable alternative commute mode exists for these employees and that the vehicles cannot reasonably be used for carpools or vanpools.

2. The employer demonstrates that its work site is contiguous with a CTR zone boundary and that the work site conditions affecting alternative commute options are similar to those for employers in the adjoining CTR zone. Under this condition, the employer's work site may be made subject to the same goals for VMT per employee and proportion of SOV trips as employers in the adjoining CTR zone. The employer's request for a modification based on these conditions must be made to the county at least ninety days prior to the due date for submittal of the employer's CTR program description.

3. The employer demonstrates that it has significant numbers of its employees assigned to variable work schedules which makes it unreasonable to expect that such employees regularly participate in CTR programs. The employer shall provide documentation indicating how many employees meet this condition and must demonstrate that no reasonable alternative commute mode program can be developed for these employees. Under this condition, the applicable goals will not be changed, but those employees who are assigned to variable work schedules will not be included in the calculations of the proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

4. Beginning with the employer's first goal year, goal modifications may be requested due to unanticipated conditions:

- a. the employer demonstrates that opportunities for alternative commute modes do not exist due to factors related to the work site, its work force or characteristics of the business that are beyond the employer's control;

b. the employer clearly demonstrates why the work site is unable to achieve the applicable goal. The work site must also demonstrate that it has implemented all of the elements contained in its approved CTR program. The county will review and grant or deny requests for goal modifications as follows:

- (1) a site specific goal set by survey;
- (2) five percent lower than applicable goal for minor modification requests meeting the standards set forth in the state CTR Task Force Guidelines; or
- (3) ten percent lower than applicable goal for major modification requests meeting the standards set forth in the state CTR Task Force Guidelines.

E. An affected employer may request modification of CTR program elements, other than the mandatory elements specified in K.C.C. 14.60.040. Such request may be granted if one of the following conditions exist:

1. The employer demonstrates that it would be unable to comply with one or more of the additional CTR program elements for reasons beyond the control of the employer; or
2. The employer demonstrates that compliance with one or more of the additional program elements would constitute an undue hardship; or
3. The employer demonstrates that another program element would be as effective or more effective than an approved additional program element. Modifications granted for the first two conditions must be reapproved as part of the annual program review.

F. An affected employer may request an exemption from all CTR program requirements for a particular work site in the CTR program description or annual reports. An exemption may be granted if and only if the employer demonstrates that it faces extraordinary circumstance, such as bankruptcy, and is unable to implement any measures that could reduce the proportion of SOV trips and VMT per employee. The county shall review annually all employers receiving exemptions and shall determine whether the exemptions will be in effect during the following program year. (Ord. 13321 § 6, 1998; 10733 § 7, 1993).

**14.60.080 Appeals.** Any affected employer may request reconsideration of the decision by the director of the department of transportation, who shall issue the final appealable decision on CTR exemptions, modification of goals, or modification of CTR program elements and of finding of violation pursuant to K.C.C. 14.60.090. A written appeal must be filed within fifteen calendar days of the employer's receipt of the county's final administrative decision with the King County hearing examiner pursuant to K.C.C. chapter 20.24. The appeal must state the decision being appealed and the grounds for the request. Appeals will be evaluated to determine if the administrative decisions were consistent with this chapter. (Ord. 13321, § 7, 1998; Ord. 10733 § 8, 1993).

**14.60.090 Enforcement.** A. Each day an employer fails to accomplish the following shall constitute a separate violation and may be subject to civil penalty of two hundred fifty dollars per violation pursuant to applicable procedures established in K.C.C. Title 23.

1. By the deadlines established in this chapter, implement an approved CTR program including the submittal of a complete CTR program description upon which the approval shall be based.
2. By the deadlines established in this chapter, modify an unacceptable CTR program after 1995 and to submit annual reports by which the need for program modifications will be determined.
3. Make a good faith effort, as defined in RCW 70.94.534(2) and K.C.C. 14.60.010T, to implement its approved program.
4. Revise a CTR program as required in RCW 70.94.534(4) and K.C.C. 14.60.060.

B. Submission of fraudulent data shall be a violation and may be subject to civil penalty of two hundred fifty dollars per violation pursuant to applicable procedures established in K.C.C. Title 23. Each day from the date of receipt of such information by the county shall constitute a separate violation.

C. An employer shall not be liable for civil penalties if failure to achieve a CTR program goal or to implement an element of an approved CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the national Labor Relations Act and advise the union of the existence of the statute and the mandates of the employer's approved CTR program and advise the union that the proposal being made is necessary for compliance with state law.

D. No affected employer may be held liable for failure to reach the applicable SOV or MVT goal.

E. Affected employers shall be given fifteen days written notice of the county's intent to seek civil penalties. (Ord. 13321 § 8, 1998; Ord. 10733 § 9, 1993).

**14.60.100 Administrative rules and procedures.** The director of the department of transportation is hereby instructed and authorized to adopt such administrative rules and procedures as are necessary to implement the provisions of this act. (Ord. 13321 § 9, 1998; Ord. 10733 § 10, 1993).

**14.60.200 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 10733 § 11, 1993).

## Chapter 14.65 INTEGRATED TRANSPORTATION PROGRAM

### Sections:

- 14.65.010 Components of the integrated transportation program.
- 14.65.020 Procedures for mitigation payment system and intersection standards.
- 14.65.025 Administrative rules – mitigation payment system, intersection standards.
- 14.65.030 Filing appeals - mitigation payment system, intersection standards.
- 14.65.040 Grounds for appeal - mitigation payment system, intersection standards.

**14.65.010 Components of the integrated transportation program.** There are three components of the integrated transportation program. These components are as follows:

A. Transportation concurrency management (TCM), by which King County regulates new development based on adequate transportation improvements needed to maintain level of service standards, in accordance with RCW 36.70A.070(6), the King County Comprehensive Plan and K.C.C. chapter 14.70.

B. Mitigation payment system (MPS), by which King County applies transportation impact fees to new development for collecting a fair and equitable share of transportation improvement costs that are needed in accordance with RCW chapter 82.02, the King County Comprehensive Plan and K.C.C. chapter 14.75.

C. Intersection standards (IS), by which King County evaluates intersections affected by new development to assure safe and efficient operation and that improvements to mitigate the adverse impacts of such developments are completed, in accordance with the state Environmental Policy Act (SEPA), K.C.C. 20.44.080, and the King County Comprehensive Plan and K.C.C. chapter 14.80. (Ord. 14050 § 1, 2001; Ord. 11617 § 3, 1994).